

REQUEST FOR RECONSIDERATION OF HEARING EXAMINER FINAL DECISION,
Dated 8-25-16

RE: Elliott Farms

Preliminary Plat

LUA15-000242, ECF,PP,SA-H,MOD

CITY OF RENTON

SEP 07 2016

RECEIVED
CITY CLERK'S OFFICE

*8:30 am
SW*

Leland and Joanne Gregory

14235 Maple Valley Hwy

Renton, WA 98058

We own the single family residence directly south of the Elliott Farms Plat on the Southeast corner of the plat. Access to our property is a private road over property owned by the Pioneer Homes HOA on which we there are recorded easements for our use.

Our request is based on 3 items that are detailed below.

1. OFF SITE DRAINAGE ISSUES

Attached are 6 pages from the Preliminary Technical Information Report for the Plat, dated April 10, 2015, of the Off Site Analysis. The areas highlighted in Orange discuss the drainage as it relates to our property. There are several pertinent items missing from this report.

Under Task 3 of the Upstream Drainage Area, it does not state that the drainage collected in the ditch and conveyed to an 18" culvert crossing WA – 169 is first collected on the east side of the road into our property and then runs through a culvert under the road to reach the ditch, but this is noted in the System Table under Location 1A.

The storm water from our property drains down into the Plat property along the south boundary between the 2 properties, on to the road with some collected in the area east of the road and some running directly into the ditch.

The main item that is missing from this report is that the overflow from the retention pond for Pioneer Place Homes also drains into this area. Once the main part of the pond fills, the overflow area fills and then the water starts flowing into the area east of

our road. Once this occurs, the area east of the road fills, the culvert under our road to the ditch is unable to handle all of the water and flooding occurs in this area with the excess water running cross the road into the ditch.

A picture taken on December 9, 2015, shows what the area looks like when this happens. The area east of our road always contains water during the entire rainy season but when the retention pond overflow discharges to this extent, you can see the result.

The Preliminary Onsite Grading and Drainage Plan for Elliott Farms shows filling the area directly in front of our property approximately 5' higher than the existing grade of our road from the southeast corner of their property to the northeast corner where it tapers to a height of approximately 3' higher than the road. They show a 4' modular block wall along the entire north boundary of our property and continuing $\frac{3}{4}$ of the way along their east boundary. They are covering the existing drainage ditch referred to above and replacing it with a storm drain that will flow into the existing 18" drain that goes under WA – 169.

The Preliminary Onsite Grading and Drainage Plan shows a catch basin on the south part of this system that shows something extending into the road part way but no further details. We presume this represents the culvert under the road.

Our concern is during periods of heavy rain, that the modular wall will act as a dam and allow storm water naturally draining from our property that now goes into the Plat property and also that drains off the road into the existing ditch, will now be blocked from draining and will collect and pool up against the wall. This same situation will occur on the road where the wall and fill will act as a dam. When the existing Pioneer Place pond overflows again, the water will flood our road, being held from draining by the modular wall.

We wish to request that a condition of approval be included in your report, that the developers include off site details for the construction of a system to remove the storm water that collects both from the upstream drainage and from the overflow from the Pioneer Place retention pond once the existing ditch is covered. This should include some method of preventing the accumulation and pooling of water that will occur because of the erection of the modular wall along our property line and existing road.

2. SEPTIC SYSTEM AND DRAIN FIELD, WATER LINE.

In the summer of 2015, we reviewed with Rick Lennon and Todd Levitt along with their engineer Mark Sumrok, that our current line was running through the Plat property and that our septic drain field was possibly on their property also. They agreed to review this and assured us that if this was the case, they would hook us up to the sewer and

run the water line as necessary. We contacted them prior to the August 9, 2016 hearing to see if they had determined anything regarding these items. They responded after the meeting that they would again look into these matter and get back to us.

The Preliminary Utility Plan indicates that the water to our property will need to be rerouted as needed but nothing is specifically shown as to where this will be routed. There is no reference on this plan to our drain field.

We do not have any records regarding the drain field location and have checked the county records and did not find anything. The septic tank is approximately 8' from our property line with Elliott Farms Plat.

We wish to request that a condition of approval be included your report, that the area of the septic drain field be located and the necessary actions required, if any, to provide sewer to our property be addressed. The impact of placing the fill over or near our drain field and the water pooling caused by the building of the modular block wall near the drain field location also needs to be considered. The Final Utility Plan should include the plans for rerouting the water line as well as the action required for the sewer.

3. SR – 169 ENTRANCE TO ELLIOTT FARMS

We have attached Exhibit 24 from the original hearing documents which is a letter from the City of Renton regarding the Spacing Deviation Determination for the access to WA – 169 with areas highlighted by us. We have also attached the Final Approved Channelization Plan received from the City of Renton Planning Department dated 7-22-16, which we did not find in the documents from the August 9th hearing.

The City states that the spacing does not meet minimum standards of 330 feet of spacing between other connections and apparently approves the plan because there is no feasible alternative because of proposed elevation grades.

In looking at the Preliminary On Site Grading and Drainage Plan dated 2-11-15, the elevations at the approved location are no different that the elevations shown at Alley 2 or Alley 3, so our question are:

1. How can this be used as the basis for accepting the design when there are no differences in the elevations?
2. Why can't the access to 169 be placed at Alley 2 or Alley 3 so that the 330 foot spacing minimum is adhered to?
3. What does the collision rate at the Molasses Creek access have to do with the creation of an entirely different designed exit/entrance to this Plat?

The acceptance of this new plan allows us to exit only to the right from our road on to 169, and go down and turn around somewhere down the road. The new left turn only lane into Elliott Farm when approaching from the east will not allow us to cross to 169.

The new entrance is only 90 feet from our driveway, not the 133 ft. noted in Exhibit 24. When we approach from the West to turn into our property now, we usually turn into the shoulder approximately 120 ft. before our entrance to avoid the traffic that usually is travelling at 50MPH. This may not be legal but it seems to make sense to get out of the traffic rather than slow the traffic down at this point. This shoulder will now be reduced to 5 ft. wide with the new construction.

We are now going to have to put on our blinker after passing the Elliott Farm entrance and slow down in the 90 ft. space, check to make sure no one is exiting in the right turn only lane only from Elliott Farms and turn into our driveway. There is no longer a shoulder available to exit into. We are probably complaining a little here, but think that this has the potential of creating a real cluster in a short distance on this stretch of 169. We hope that this area will have an accident rate of .0 in a 3 year period.

Moving the entrance to the West may not be preferable to the Elliott Farm owners but we feel this should be reexamined, if the criteria for the original placement of this was because of an elevation issue which does not exist. The proposed exit road could possibly be reduced in width so that Alley 2 of Alley 3 could be increased to meet the City Road design criteria.

Thank you.

Leland Gregory 9/6/16
Leland Gregory Date

Joanne Gregory 9-6-16
Joanne Gregory Date

3.0 OFF-SITE ANALYSIS

TASK 1 STUDY AREA DEFINITION AND MAPS

The proposed Plat of Elliott Farm is an attached single-family residential project consisting of 45 lots zoned R-14. The tax parcel number is 2223059004 and is 6.07 acres in size. The site is located on the south side and adjacent to Maple Valley Hwy (WA-169) at the eastern terminus of 140th Way SE (Private Road), in a portion of Section 22, Township 23 North, Range 5 East, W.M., in the City of Renton. Please refer to the vicinity map in the section.

The site is rectangular in shape with 691.70' of frontage along Maple Valley Hwy (WA-169). A condominium site, known as Molasses Creek Phase 1, is located on the west side of the project. A single family residential development, known as Pioneer Place, is located to the east and a single family residence is located south. Ground cover mainly consists of weeds, grass and brush; however, the southwest corner of the site contains a mixed variety of trees. A wetland exists at the southwest corner of the site with a 50' buffer. This site is currently undeveloped, but contains remnants from an existing farm, including partially buried building foundations and concrete slabs. Existing on-site utilities were constructed along the northern portion of the site for this development. On-site soils are mapped as Newberg (till soils).

The on-site topography is generally flat. The southwest corner of the project (approximately 1.85 acres) gently slopes toward the wetland. The wetland is approximately 4-6 feet lower than the edge of the 50' buffer and drains westerly through more wetlands located behind Molasses Creek before entering into a 24-inch culvert under 140th Ave Se. The remaining portion of the site drains into the roadside ditch along WA-169. There is an existing drainage ditch along the east side of the project that conveys off-site upstream flows from the southeast. The elevations on the site range from 87 to 107.

TASK 2 RESOURCE REVIEW

- **Adopted Basin Plans:** The site is located within Mainstem Reach 2 of Lower Cedar River Basin. Refer to Appendix A for the portions of the basin that applies to this project.
- **Finalized Drainage Studies:** This is not applicable.
- **Basin Reconnaissance Summary Report:** This site is located in the Mainstem Reach 2 in Lower Cedar River Basin, which is covered by the Lower Cedar River Basin and Nonpoint Pollution Action Plan dated July 1997 (included in Appendix A).
- **Critical Drainage Area Maps:** This project will not discharge drainage to any critical areas or wetlands as it will be discharging developed run-off to existing conveyance system that is conveyed to an existing water quality facility prior to discharging into the Cedar River. Therefore, no critical areas are to be affected.
- **Floodplain and Floodway FEMA Maps:** Please see the attached FEMA Map (Section 1.0) utilized for this analysis. As indicated on the map, the site is located in Zone X and is outside of the 500-year floodplain.
- **Other Off-Site Analysis Reports:** A site investigation was conducted in preparation of this Level 1 Off-Site Drainage Analysis. The United States Department of Agriculture Soils Conservation Service Map is also provided. See Figure 4 – Soils Map in Section 1.0.
- **Sensitive Areas Folios:** Based on review of the King County Sensitive Areas Map Folios located in this section and special reports prepared by consultants included in section 6.0 of the TIR, the site contains a wetland and buffer at the southwest corner of the site. The site is also located within an erosion, landslide, and seismic hazard area.

- **Road Drainage Problems:** The project researched drainage complaints from King County and the city of Renton. The city had no records of any downstream drainage complaints within the drainage investigation areas. King County had a listing of the drainage complaints within a mile of the site; however, none of the complaints were within the downstream drainage area and were not applicable.
- **United States Department of Agriculture King County Soils Survey:** Based on the Soils Map (Figure 4 – Soils Map, Section 1.0) for this area, the site contains Newburg (Ng) silt loam with a small portion of Alderwood and Kitsap (AkF), very Steep, located near the south boundary line. The soils were modeled as till soils for drainage computations.
- **Wetland Inventory Map:** From the Wetland Assessment Report by Radakke Associates located in section 6.0 of this TIR, there is a wetland in the southwest corner of the site.
- **Migrating River Studies:** This is not applicable.
- **City of Renton Aquifer Protection Zones:** Per the City of Renton's GIS Map, the project site is not located within an Aquifer Recharge Area.

TASK 3 FIELD INSPECTION

The field inspection for this Level 1 Off-Site Drainage Analysis was conducted on April 3, 2015 for the purpose of analyzing the proposed project site and its upstream and downstream corridors. The weather was cloudy with occasional rain showers. The off-site drainage system was inspected from the project limits to the edge of the outfall at the Cedar River. The boundary and topographic survey and LIDAR map were also used to identify the drainage patterns associated with the property.

Upstream Drainage Area

The project contains two off-site upstream drainage areas that drain onto the project. See Exhibit A showing the upstream drainage areas. The more southwesterly upstream drainage basin (Basin OS1) area contains 3.3 acres of upstream drainage area. The majority of the area is steep slopes. The upstream drainage area drains to the existing wetland at the southwest corner of the site where flows are then conveyed westerly to a larger wetland. The south easterly upstream drainage area (Basin OS2) contains approximately 17.2 acres. The drainage from this upstream drainage basin is collected in a ditch along the projects easterly boundary line and conveyed to an existing 18-inch culvert crossing WA-169.

Onsite Drainage

In the pre-developed condition approximately 1.85 acres of the site drains toward the wetland in the southwest corner of the site. The remaining 4.22 acres drains toward the north into the existing ditch along WA-169.

3.1 Conveyance System Nuisance Problems (Type 1)

Conveyance system nuisance problems are minor but not chronic flooding or erosion problems that result from the overflow of a constructed conveyance system that is substandard or has become too small as a result of upstream development. Such problems warrant additional attention because of their chronic nature and because they result from the failure of a conveyance system to provide a minimum acceptable level of protection.

There were no conveyance system nuisance problems observed during the site visit. Furthermore, based on a review of the drainage complaints received from King County and the City of Renton, there is no evidence of past conveyance system nuisance problems occurring in the direct downstream drainage course, as there are no records that have been submitted.

3.2 Severe Erosion Problems (Type 2)

Severe erosion problems can be caused by conveyance system overflows or the concentration of runoff into erosion-sensitive open drainage features. Severe erosion problems warrant additional attention because they pose a significant threat either to health and safety or to public or private property.

Based on our site visit, there was no evidence of, or potential for, erosion/incision sufficient to pose a sedimentation hazard downstream within the limits of the study. All runoff sheet flows to existing conveyance channels, where flows are then conveyed off site. Stormwater runoff from the proposed roads and rooftops from the developed project will be collected in catch basins and conveyed through pipes to an existing water quality facility where it will then be discharged directly to the Cedar River. As a result no future erosion problems should occur downstream because of this development.

3.3 Severe Flooding Problems (Type 3)

Severe flooding problems can be caused by conveyance system overflows or the elevated water surfaces of ponds, lakes, wetlands, or closed depressions. Severe flooding problems are defined as follows:

- Flooding of the finished area of a habitable building for runoff events less than or equal to the 100-year event. Examples include flooding of finished floors of homes and commercial or industrial buildings. Flooding in electrical/heating systems and components in the crawlspace or garage of a home. Such problems are referred to as "severe building flooding problems."
- Flooding over all lanes of a roadway or severely impacting a sole access driveway for runoff events less than or equal to the 100-year event. Such problems are referred to as "severe roadway flooding problems."

Based on a review of the FEMA Map (Section 1.0) the proposed site is outside of the 500-year floodplain, and there is no evidence of severe flooding problems encountered during our visit.

TASK 4 DRAINAGE SYSTEM DESCRIPTION AND PROBLEM DESCRIPTIONS

DOWNSTREAM DRAINAGE ANALYSIS:

The downstream drainage course does not exhibit any major concerns and appears to contain plenty of capacity to convey the additional developed flows from Elliott Farm. Please refer to Exhibit A for the Upstream/Downstream Drainage Area Map Exhibit B for the Off-site Analysis Drainage System Table. Drainage complaints were requested from the city of Renton and King County Water and Land Resources as required, however, there were no applicable complaints within the downstream drainage course within the last 10 years.

In the developed condition, stormwater generated from the new impervious surfaces, including road and rooftops, will discharge in two locations. The westerly portion of the site will discharge into the conveyance system constructed by Molasses Creek and be conveyed to the existing water quality facility (wetpond) before discharging into the Cedar River. The drainage from the north easterly portion of the project will be conveyed to a proposed 24-inch conveyance system that will replace the existing ditch along the WA-169 frontage. From here the drainage will be directed through a series of ditches and culverts before entering into the existing wetpond.

TASK 5 MITIGATION OF EXISTING OR POTENTIAL PROBLEMS

The only mitigation required, based on the analysis performed on the downstream drainage course is to upsize the existing 12-inch storm pipe to an 18-inch where the project will be connecting to the existing conveyance system in Molasses Creek. Please refer to the 100 year Conveyance Capacity Analysis in section 5.0 showing that the existing conveyance system in Molasses Creek contains enough capacity to convey the future developed flows from Elliott Farm.

The project is required to provide frontage improvements along WA-169. This will include installing curb, gutter and sidewalk. The existing ditches will be replaced with a 24-inch piped conveyance system along the frontage and will discharge to the existing ditch. The existing conveyance system appears to contain plenty of capacity to convey the future developed flows from the developed project to the Cedar River.

OFF-SITE ANALYSIS DRAINAGE SYSTEM TABLE

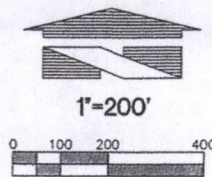
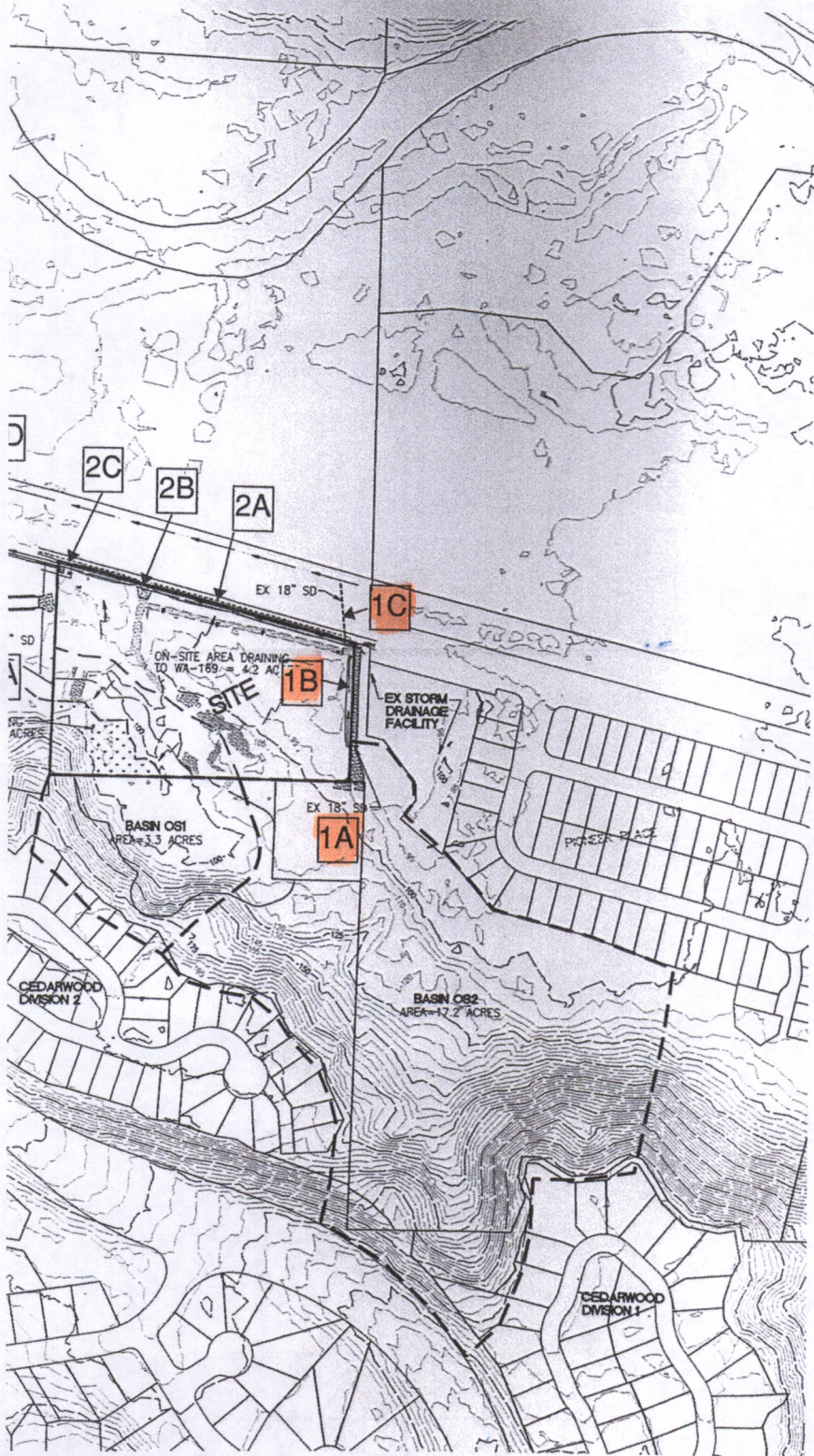
Surface Water Design Manual, Core Requirement #2

Basin: Lower Cedar River

Subbasin Name: Mainstem Reach 2


Subbasin Number: _____

Location ID	Drainage Component Type, Name, and Size	Drainage Component Description	Slope	Distance from Site Discharge	Existing Problems	Potential Problems	Observations of Field Inspector, Resource Reviewer, or Resident
See Map	Type: sheet flow, swale, stream, channel, pipe, pond; size, diameter, surface area	Drainage basin, vegetation, cover, depth, type of sensitive area, volume	%	Ft.	Constrictions, under capacity, ponding, overtopping, flooding, habitat or organism destruction, scouring, bank sloughing, sedimentation, incision, other erosion		Tributary area, likelihood of problem, overflow pathways, potential impacts
1A	18" CULVERT	Drains across ex gravel road, 17.2 acre up-stream basin	0-1%	Discharges onto site	Outlet should be maintained		Culvert conveying flows to existing ditch
1B	Channel	6"- 1' wide x 1.5 to 2' deep with gentle side slopes. Covered in blackberry bushes	0-1%	Along site's west boundary line	None seen.		Flows observed in channel, heavy blackberry bushes
1C	18" CULVERT	Crosses under WA-169	0-1%	Discharge from Ditch at NE corner of site	None seen		Flows observed during site visit. Receives flows from pond on Pioneer place and 17.2 acre upstream basin
2A	Channel	Channel draining east to west along south side of WA-169, 1.5'-2' deep with 4:1 side slopes	0-1%	North boundary of site	None noted		Grass lined channel with very little slope.
2B	18" culvert	Drains under existing access	0-1%	0	None noted		No restrictions, outlets to channel
2C	Channel	Drains West along WA-169, 1.5' to 2' deep with 4:1 side slopes	0-1%	0	None noted		Grass lined channel with very little slope
2D	18" Culvert	Drains under access	0-1%	NW corner of site	None noted		No restrictions, outlets to channel
2E	Channel	Drains West along WA-169, 1.5-2' deep with 4:1 side	0-1%	0-220'	None noted		Grass lined ditch outletting to 24" D.I. Culvert. Flows



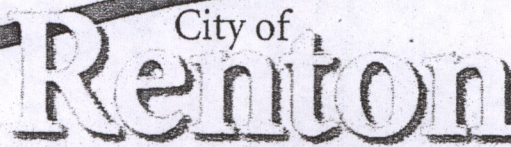
2C

Number symbols indicate downstream drainage locations as identified on the following "Offsite Analysis Drainage System Table"

		18215 72ND AVENUE SOUTH KENT, WA 98032 (425) 251-6222 (425) 251-8782 FAX CIVIL ENGINEERING, LAND PLANNING, SURVEYING, ENVIRONMENTAL SERVICES		Designed <u>MTS</u> Drawn <u>MTS</u> Checked <u>BMS</u> Approved <u>BMS</u> Date <u>4/9/15</u>	Scale: Horizontal 1"=200' Vertical N/A	For: Brixton Homes, LLC 14410 Bel-Red Road, Suite 200 Bellevue, WA 98007	Title: UPSTREAM/DOWNSTREAM DRAINAGE AREA MAP	No. Date By Ckd. Appr. Revision
member 34	1	08\15734\preliminary\100\15734-Lidar.dwg Date/Time: 4/6/2015 5:04 PM Scale: 1" = 1' MSUMROK Xref:						



Denis Law
Mayor



May 12, 2016

Community & Economic Development Department
C.E. "Chip" Vincent, Administrator

Ivana Halvorsen
Barghausen Consulting
18215 72nd Ave S
Kent, WA 98032

SUBJECT: State Route 169 Access Spacing Deviation Determination
Elliott Farms Preliminary Plat, LUA15-000242, ECF, PP, SA-H, MOD

Dear Ms. Halvorsen:

This letter is written in response to the proposed 45-unit Elliott Farms multi-family residential development and associated design deviation request from WSDOT's standard requirements under WAC 468-52-040 (3) for managed access to Maple Valley Highway (State Route 169). Elliott Farms Preliminary Plat is a 6.07-acre site located along SR-169 between 140th Way SE and 145th Ave SE within the Residential-14 zoning district (APN 2223059004). All new residential subdivisions are required by Renton Municipal Code to establish access to a public road for each segregated parcel (RMC 4-7-080B.2); therefore, a direct public connection to SR 169 is being pursued. Vehicular access to the vacant site is proposed via a new channelized residential access connection to SR-169, which is located approximately 875 feet east of the Molasses Creek development access, approximately 133 feet west of the single family driveway access to 14235 Maple Valley Hwy, and approximately 552 feet west of Pioneer Place at 145th Ave SE. The proposed project is estimated to generate 321 new weekday daily trips with 27 new trips occurring during the weekday AM peak hour (5 entering, 22 exiting), and 31 new trips occurring during the weekday PM peak hour (21 entering, 10 exiting). The proposed project also includes abandoning the former single family driveway connection approximately 515 feet east of the Molasses Creek development access. The spacing of new public street connection and the existing single family driveway to 14235 Maple Valley Hwy does not meet the minimum standard requirements of 330 feet of spacing between other public or private connections to the state route, nor can any feasible alternative as a result of proposed elevation grades. The collision rate for the three-year period from January 1, 2012 to December 31, 2014 at the intersection of SR-169 and Molasses Creek access was 0.00 collisions per million entering vehicles (MEV) and million vehicle miles of travel (MWM).

Staff has completed a review of the subject request and finds the proposed access spacing deviation request is approved, subject to the following conditions:

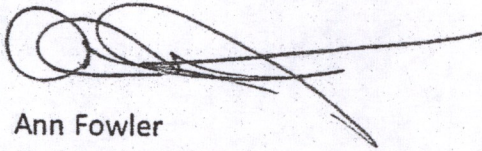
Exhibit
24

1. Covenant: A covenant would be required to be placed on the face of the plat to vacate the plats direct public access to SR 169 when a future access to a public road can be achieved either through the existing Molasses Creek Condominiums (parcel no. 5568900000) road network or via a redevelopment of the Molasses Creek parcel.

2. Channelization: Public access from Elliott Farms subdivision to SR 169 would be required to provide channelization (right-in/right-out only) from Road B to SR 169, subject to WSDOT approval.

Please contact me at (425) 430-7382 if you have any questions.

Sincerely,



Ann Fowler
Civil Engineer II

Enclosure: Elliott Farms (SR-169) Draft Channelization Plan (CH1)

cc: Ramin Pazooki, Local Agency & Development Services Manager WSDOT
Jennifer Henning, Planning Director
Vanessa Dolbee, Current Planning Manager
Clark Close, Senior Planner
Lennon Investments, Inc. and Cedar River Lightfoot, Inc. / Owners
Patrick O. Lennon and Todd Levitt / Applicants
Bonaudi, Gregory, Harrison, Knight, O'Meara, Thierry, Wruble / Party(ies) of Record
File LUA15-000242, ECF, PP, SA-H, MOD

